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C O N F I D E N T I A L SECTION 01 OF 03 CARACAS 001690

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SUBJECT: PRESS FREEDOM UPDATE

REF: A. CARACAS 01555
[1](#)B. CARACAS 01382
[1](#)C. CARACAS 01637

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Classified By: ACTING POLITICAL COUNSELOR DANIEL LAWTON
FOR REASON 1.4 (D)

[1](#)1. (C) Summary. The Bolivarian Republic of Venezuela (BRV) is employing a variety of mechanisms to harass opposition-oriented journalists and independent media outlets. Journalists, particularly former International Visitor (IV) Program participants, have been harassed and accused of fomenting instability by BRV officials. Equally troubling are the politically motivated legal cases against journalists for their efforts to expose corruption at the state-oil company PDVSA. Violence against journalists is also increasingly common: Chavez supporters recently assaulted several of Radio Caracas Television International (RCTVI) reporters seriously enough to require hospitalization. Separately, the BRV is working hard to exert greater control over cable television programming by drafting reforms behind closed doors. The independent media corps continues to denounce BRV efforts to limit freedom of expression. End Summary.

Attacked by Chavistas

[1](#)2. (SBU) Eleven people, including five opposition-oriented journalists, were severely beaten by supporters of President Chavez as they attempted to cover the judicial appeal hearing of Oscar Perez, an ultra-opposition regional deputy from Miranda state and leader of the National Resistance Movement (CRN). According to local press reports, Chavistas were bussed in from surrounding areas to harass Perez' supporters. Following the hearing, Glen Ribas, a regional deputy and Chavista, accused the journalists of being coup-plotters. The insult apparently served as a signal for the Chavistas to physically attack the journalists. Reporters affiliated with Radio Caracas Television International (RCTVI) were the primary targets. An RCTVI cameraman (who already has an order of protection issued by the Inter-American Human Rights Commission) was severely wounded, his assistant suffered a broken rib, and a pregnant journalist was taken to the hospital. (Note: Perez was stripped of his office after he was accused of participating in a bombing at the Miranda state legislature. The CNR was one of the primary organizers behind the pro-RCTV marches in May and June. End Note.)

Journalists Accused of Extortion

13. (SBU) In an effort to silence the independent media's reports of rampant corruption at the state-oil company PDVSA, the BRV is making an example of the independent daily "Report on the Economy." Minister of Interior and Justice Pedro Carreno ordered the detention of journalist Leocenis Garcia August 14 for his alleged involvement in an extortion case involving a PDVSA employee. Garcia has repeatedly denied any involvement in the case. Additionally, BRV officials have attempted to build a case against Jose Palmar, "Report" director, without much success. Garcia and Palmar began reporting on PDVSA-related corruption schemes after noting a steady increase in the company's operation costs despite PDVSA's decreasing production.

14. (SBU) Both investigative journalists were summoned August 12 by the National Assembly's Media Committee at which time they presented their findings on over 60 cases of alleged corruption at PDVSA. Jose Rafael Ramirez, a journalist for the daily "Report," was arrested June 12 after he was caught on tape soliciting money from a PDVSA employee in exchange for not publishing an article incriminating the businessman in kickbacks. Ramirez was charged with extortion and resisting arrest on July 27. It is widely believed Ramirez is guilty, but acted alone.

15. (SBU) Although the BRV has not issued an arrest warrant for Palmar thus far, government officials continue to harass him via the state-controlled media. Journalists affiliated with the government-run Venezolana de Television (VTV), in particular, have questioned Palmar's professional credentials and repeatedly called for his speedy arrest. The Venezuelan Episcopal Conference (CEV) has attempted to intercede on Palmar's behalf and requested meetings with Carreno in an

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effort to bring an end to the government's smear campaign, but Carreno has dismissed the CEV's request.

16. (SBU) The local media reported that Argentine NA deputy Anibal Leguizamón introduced a resolution August 20 in Argentina to condemn the BRV's "political persecution" against the "Report on the Economy," Palmar, and Garcia. Leguizamón argued that the BRV's actions violated freedom of expression and noted that Venezuela's acceptance into Mercosur is contingent on its respect of democratic principles.

Still Waiting on CONATEL Reforms

17. (SBU) Almost a month after the Constitutional Chamber of the Supreme Court (TSJ) instructed the telecommunications regulatory agency (CONATEL) to revise its regulations in order to clarify the differences between "national" and "international" producers (Ref. A), no details of the proposed reforms have been released. Following the August 1 ruling, Mario Seijas, president of the Venezuelan Chamber of Cable Television Providers (Cavetesu), met with Minister of Telecommunications Jesse Chacon to organize a group of lawyers to assist CONATEL in drafting the new law. As reported in the local media, Cavetesu suggested CONATEL hold a series of roundtable discussions with local cable providers to discuss options, but CONATEL insisted it would draft the law on its own. CONATEL originally stated it would submit the proposal to a public referendum in mid-August and then release the final draft in early-September.

18. (SBU) In response to CONATEL's approach, over 40 local cable networks, mostly from the interior of the country, held a conference August 20 to express their concern with CONATEL's proposal to make cable providers abide by the Media

Law of Social Responsibility or cease broadcasting. Seijas stated that the law's costly requirements, such as a mandatory five hours of nationally produced programming and sign language interpreters, would cause severe economic hardship on local cable providers and force many networks out of business. The conference participants plan to deliver a set of their own reform proposals to CONATEL August 25. (Note: The court's August 1 decision also stayed CONATEL's orders to sanction cable stations that hadn't registered with CONATEL and provided temporary relief from closure to RCTV International. End Note).

Izarra on Telesur Changes

¶9. (C) A surprisingly candid Andres Izarra, president of Telesur and former Minister of Communications, discussed recent changes to the network during a visit to the Embassy to apply for a visa. Izarra told PAO and Poloff that Telesur International, a government sponsored regional news network, recently opened Telesur National in order to comply with the Media Law's requirements, including the required five hours of domestically produced programming. Izarra complained that the law was burdensome especially because of the dearth of national production companies. He found it ironic that the same law he helped draft is now causing him headaches.

Former IV Participant Harassed

¶10. (C) Juan Carlos Fernandez, (protect throughout), prominent Maracaibo journalist and former IV participant, informed Embassy PAS staff August 10 that he was the target of BRV harassment as a result of an interview he conducted with the outgoing Ambassador in Maracaibo June 27 (Ref. B). Upon leaving the hotel where the television interview was taped, Fernandez noticed he was being photographed by a Military Intelligence Police (DIM) officer. Fernandez approached the officer and questioned his intentions. That week, Seniat, the tax collections agency, showed up at his office and attempted (unsuccessfully) to close his talk show program "A Punto." Fernandez participated in the IV program "The Role of the Media in a Democratic Society" in 2006.

IV Participants Outed

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¶11. (C) As noted in previous reporting, AmCit Eva Golinger accused 33 former IV participants, mostly journalists, of infiltrating Venezuelan media outlets and pursuing USG interests in order to "destabilize" the BRV (Ref. C). Golinger's allegations were generally poorly received by Chavistas and the general public. Golinger subsequently posted several articles on-line to defend her actions amid the public backlash.

¶12. (C) Following Golinger's campaign, an on-line blogger accused Golinger of a series of offenses that if true, could be potentially punishable in the United States. The blogger argued Golinger provided legal advice to the Venezuelan Embassy in Washington without having passed the Bar exam. According to the articles, Golinger failed to register under the Foreign Agent Registration Act for work she completed for the Venezuela Information Office. There are also allegations that Golinger improperly claimed that her New York-based NGO "Committee of Solidarity with Venezuela" could receive tax deductible donations.

Another State-Run Channel

¶13. (SBU) Minister of Communications William Lara announced August 3 that the BRV plans to fund another channel on public access television. Lara said the channel would primarily promote the values of the current political "process" (read "socialist" values). He also argued the new channel will fulfill one of the Media Law's requirements, which calls for a network that airs only nationally produced programming. Considering the difficulties others have expressed in acquiring sufficient local products, Lara's proposal appears far-fetched.

Comment

¶14. (C) CONATEL's decision to reform its regulations code unilaterally indicates that the BRV is not interested in a transparent process. Instead, the BRV is attempting to further tighten its grip on a sector of the media it had previously ignored. This is likely a reaction to the spike in cable and satellite TV subscriptions stemming from RCTV having been forced off the air and onto cable. Izarra's frank discussion with Embassy Staff about the Media Law's many inconveniences suggests that even some government supporters irritated by BRV interference in the communications arena.

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